

## **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of March 29, 2010.

Reconsideration of the Application is requested.

Claims 1-18 remain pending in this application.

### **The Office Action**

Claims 1-18 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,530,418 to Currie.

#### **I. CLAIM REJECTIONS UNDER 35 U.S.C. §102(b)**

Claim 1 recites a particulate material removing filter for exhaust gas from a diesel engine. The particulate material removing filter is formed by laminating metal laths having an oxidation catalyst layer containing a noble metal that oxidizes nitrogen oxide in exhaust gas into nitrogen dioxide. The metal laths are laminated to form a laminate in such a manner that the drawing direction of the metal lath processing differs by 90 degrees with each other.

Such a particulate material removing filter is not taught or suggested by Currie.

There is no teaching or suggestion of a particulate material removing filter formed by laminating metal laths having an oxidation catalyst layer containing a noble metal that oxidizes nitrogen oxide in exhaust gas into nitrogen dioxide wherein the metal laths are laminated to form a laminate in such a manner that the drawing direction of the metal lath processing differs by 90 degrees with each other as presently claimed.

Currie discloses an exhaust system that uses the entire length of the system in which to perform the essential functions of muffling noise and converting unburned hydrocarbons. The Examiner points to FIGURES 2 and 11, column 9, lines 35-43 as disclosing a liner 112 positioned within a pipe that includes a plurality of air foil baffles 114 projecting inwardly from the liner into the gas flow at an angle of 90 degrees. However, Currie discloses the airfoil baffles 114 are made by stamping from continuous strip of liner material 112 as shown in FIGURE 11 by cutting the material along edges

116, 118, and 120 and bending the baffle 114 created thereby in one direction so that all the baffles extend from one side 122 of the liner 112 (Currie, column 9, lines 44-49). This is different from a metal lath coated with an oxidation catalyst cut into a square shape having a predetermined dimension, wherein two or more of the cut metal laths are laminated to form a laminate in such a manner as to make the metal lath(s) differ alternately by 90 degrees in the drawing direction of metal lath processing as presently claimed. Rather, Currie discloses the bending angle of the folds is selected to provide an optimal cross section to the filters wherein the material is folded at an angle approaching 180 degrees to provide square filters transverse to the exhaust gas flow (Currie, FIGURES 2-4, column 4, lines 66-68 through column 5, lines 1-3).

Accordingly, claim 1 and claims 2-18 dependent therefrom, distinguish over the reference of record.

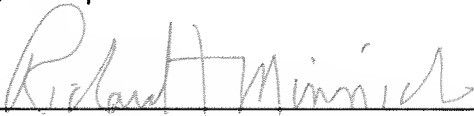
### CONCLUSION


For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-8) are now in condition for allowance.

Respectfully submitted,

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6/29/10  
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